

Request for Continued Examination (RCE) Transmittal

Address to:
 Mail Stop RCE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Application Number	097115716
Filing Date	July 26, 2001
First Named Inventor	Leslie C. SMITH, et al
Art Unit	1751
Examiner Name	Gregory R. Lefkowitz
Attorney/Agent Number	3955-037

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114.** Note: If the RCE is proper, any previously filed amendment(s) and amendment(s) enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- b. ☒ Consider the arguments in the Appeal Brief or Reply Brief previously filed on: _____
- c. ☒ Other: Applicant requests non-entry of Amendment G filed January 11, 2007.
- d. ☒ Entered
- e. ☒ Amendment/Reply
- f. ☒ Information Disclosure Statement (IDS)
- g. ☐ Affidavit/Declaration(s)
- h. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(e) for a period of _____ month(s). (Period of suspension shall not exceed 3 months. Fee under 37 CFR 1.171 required)
- b. ☐ Other _____

3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, any underpayment of fee, or credit any overpayment, to Deposit Account No. 500851. I have enclosed a duplicate copy of this sheet.
- a. ☒ RCE fee required under 37 CFR 1.17(e)
- b. ☒ Extension of time fee (37 CFR 1.106 and 1.17)
- c. ☐ Other _____
- d. ☐ Check in the amount of \$ _____ enclosed
- e. ☐ Payment by credit card (Form PTO-2008 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	Date
Name (Print/Type) Gregory R. Lefkowitz	February 26, 2007
Registration No.	156218

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to, Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or being transmitted to the U.S. Patent and Trademark Office on the date stated below.

Signature	Date
Name (Print/Type) Robert Flomenbaum	February 26, 2007

The contents of information is required by 37 CFR 1.114. The information is required to obtain or retain a patent by the applicant, when it is the intent by the USPTO to issue an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. The information is submitted to take 12 months to complete, including gathering, preparing, and submitting the complete application form to the USPTO. There will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9196 and select option 2.